

### **Remarks/Arguments**

In the present amendment, claims 3 and 4 are cancelled without prejudice, and claim 1 is amended to more clearly and distinctly claim the subject matter that Applicants regard as the invention. No new matter is added.

Claims 1 and 2 are now pending in the application. Claim 1 is independent.

#### **Rejection of claim 3 under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement; and second paragraph, as being indefinite**

In the present amendment, claim 3 is cancelled. The claim rejection is now moot. Withdrawal of the rejection of claim 3 under 35 U.S.C. 112, first and second paragraphs, is respectfully requested.

#### **Rejection of claim 1 under 35 U.S.C. 112, second paragraph, as being indefinite**

In the present amendment, claim 1 is amended to obviate this rejection. The first term "initially decoded" is clarified as "decoded but not yet combined," and the term "related" is deleted. Applicants submit that claim 1 is now definite. Withdrawal of the rejection of claim 1 under 35 U.S.C. 112, second paragraph, is respectfully requested.

#### **Rejection of claims 1 and 3 under 35 U.S.C. 103(a) as unpatentable over Hans et al. (US PGPub 2004/0024478 hereinafter Hans) and further in view of Wilson et al. (US Patent 7,072,726 hereinafter Wilson).**

Applicants submit that for at least the following reasons, claim 1 is patentable over Hans and Wilson, either singly or in combination.

For example, claim 1, in part, requires:

*"Method for processing two or more decoded but not yet combined audio signals received or replayed from a bitstream, that each said decoded audio signals has a different number of channels and/or different channel configurations."*

In the Office Action, it is alleged by the Office that Hans, paragraph [0002], discloses the above claimed feature. Applicants respectfully disagree. Hans, paragraph [0002], discloses that the digital audio content can be digitized into different formats based on variables, such as bit rate, communication protocol(s), physical medium, compression algorithm, and/or other variables. Hans, further discloses that common digital audio formats include, without limitation, MPEG (e.g., MP3, etc.), WAV, MIDI, and/or other formats known to those skilled in the art. Applicants submit that clearly the examples given by Hans are just part of the introduction to digitized audio. Hans does not imply that each audio signal has a different number of channels and/or different channel configurations if they are digitized in different formats.

For example, although MP3 and WAV have different encoding schemes, they are not required to have a different number of channels or different channel configurations. Furthermore, Hans does not even disclose that the two audio signals being mixed are of different formats. Therefore, Hans fails to disclose the above claimed feature. Moreover, Wilson only discloses converting M channels of a digital audio data into N channels of digital audio data; it but does not disclose anything about having two or more decoded but not yet combined audio signals received or replayed from a bitstream, that each said decoded audio signals has a different number of channels and/or different channel configurations, as claimed. Therefore, neither Hans nor Wilson discloses the above claimed features.

In addition, claim 1, in part, requires:

*“the channel configuration information items for said two or more decoded audio signals can demand channel configurations conflicting with each other.”*

Applicants submit that nothing in Hans or Wilson teaches or even suggests that the two or more decoded signal can demand channel configurations conflicting with each other. Therefore, neither Hans nor Wilson discloses the above claimed features.

In view of at least the foregoing, Applicants submit that claim 1 is patentable over Hans and Wilson, either singly or in combination.

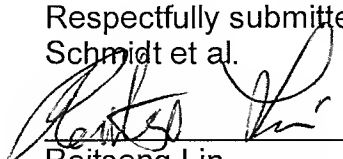
**Rejection of claims 2 and 4 under 35 U.S.C. 103(a) as being unpatentable over Hans, Wilson, further in view of Saunders et al. (US PGPub 2002/0040295 hereinafter Saunders).**

Applicants submit that Saunders, does not in any way cure the defects present in the combination of Hans and Wilson as discussed above for claim 1. Therefore, claim 2 is patentable because at least it depends from claim 1 with further distinguishing features. Claims 3 and 4 are cancelled. Withdrawal of the rejection of claims 1 – 4 under 35 U.S.C. 103(a) is respectfully requested.

**Conclusion**

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at (609) 734-6813, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Respectfully submitted,  
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Date: 12/18/08